TL628

Parliamentarians for East Timor

OCCASIONAL NEWSLETTER APRIL 1991

PET mission meets UN Secretary General

On 25 March 1991, a delegation of Parliamentarians for East Timor consisting of six Parliamentarians from Australia, Japan, the Netherlands, Portugal and the United Kingdom met Dr Javier Perez de Cuellar, Secretary General of the United Nations, to discuss the question of East Timor. Mr Ahmed Rafeeuddin, UN Assistant Secretary General for Humanitarian Affairs, with special responsibility for East Timor, was also present.

The six Parliamentarians who met the UN Secretary General were:

Lord Avebury, UK, leader of the group
Mr Garrie Gibson, Australia
Ms Hiromi Okazaki, Japan
Mr Rob van Gijzel, Netherlands
Ms Teresa Santa Clara Gomes, Portugal
Mr Antonio de Sousa Lara, Portugal.

A Parliamentarian from Vanuatu was also to have joined the delegation but was unable to reach New York in time.

Status of East Timor question at the UN

Lord Avebury first asked the Secretary General whether, in the consultations he was undertaking in pursuance of Resolution 37/30 of 1982, he was working within the framework of the two Security Council Resolutions adopted in 1975 and 1976 and the eight General Assembly Resolutions adopted annually from 1975 to 1982. The Secretary General replied very decisively in the affirmative. He said that recognition of Portugal as the Administering Power of East Timor was a 'dogma' for the UN; he repeated this several times. He also stressed that any solution to the question of East Timor could only be reached after due consultation with the people of the territory.

The Secretary General said the question of East Timor had equal weight at the UN with the already solved question of Namibia and the question of the Western Sahara. Developments during and since the Gulf War had aroused new interest in the East Timor issue, he said; all territories in the process of de-colonisation were as important as each other.

The Secretary General said that the consultations taking place under the aegis of the UN were based not on Resolution 37/30 of 1982 but on the "good offices" of the Secretary General. This was because the Resolution had not been accepted by Indonesia. The choice was between continuing the process or bringing it to an end. The Secretary General reports annually to the General Assembly and it is for the GA to decide what steps to take.

Consulting the East Timorese

On the question of consulting the people of East Timor, the Secretary General said this would be done in accordance with 1960 General Assembly Resolution 1514 (Declaration on the Granting of Independence to Colonial Countries and Peoples) and 1960 Resolution 1541, but flexibility was needed from all sides to reach a solution. In his opinion, democracy means that the people must be consulted and this would have to be done.

The Secretary General said that there would indeed be a procedure which would take into account the wishes of the people of East Timor; though it might not be in the form of a referendum, it would fully comply with the terms of these resolutions of the General Assembly. Other (unspecified) ways had been used in some instances. Reference was made to discussions with Indonesia before the Indonesian general elections in 1987. The possibility of using these elections to assess the views of the East Timorese had been considered, one idea being that low participation in the polls might be taken as a rejection of integration. Nothing had materialised from these discussions. At one point, the Assistant Secretary General spoke about the need to be 'creative' on this question.

Involving the East Timorese in the UN consultations

The Parliamentarians asked the Secretary General about bringing the East Timorese into the consultations taking place at the UN, under Resolution 37/30, which have so far only involved Portugal and Indonesia. He said his door was open to East Timorese, while the Assistant Secretary

General said he had already met East Timorese, mentioning Jose Ramos Horta and Jose Luis Guterres by name.

With regard to including the East Timorese in the consultations, the Secretary General said the initiative rests exclusively with Portugal as the Administering Power. [However, before the meeting with the Secretary General, Lord Avebury received a letter from the Portuguese Ambassador in London stating: "The United Nations General Assembly Resolution 37/30 entrusted to the Secretary General a mandate to initiate consultations with all parties concerned, aiming as exploring avenues for achieving a comprehensive settlement of the question. **It is therefore for him to decide which parties will be included in the consultations and also on the adequate moment to do so."]**

Portuguese Parliamentary visit to East Timor

On the planned visit of Portuguese Parliamentarians to East Timor, the Secretary General denied that the UN sees this as a means to end further consideration of East Timor at the UN. Reference was made to a letter from the Secretary General's Office to President Suharto last June which the Indonesian press claimed had said this. The UN hopes that the parliamentary visit will help create an atmosphere conducive to further dialogue, leading to an internationally acceptable solution. The UN also hopes that the visit will furnish it with information about the present situation in East Timor.

The Secretary General said that the only outstanding issue still to be resolved, before a date for the visit is fixed, is whether the Portuguese Parliamentarians would meet the Speaker of the Indonesian Parliament before or after visiting East Timor. Mr Sousa Lara told the Secretary General that members of the Convergéncia Nacionalista had just urged the Portuguese Parliament to set a time limit for the visit of July this year. The Secretary General said he was very glad to hear this.

Human rights and the current situation in East Timor

The Secretary General assured the Parliamentarians that he closely follows information about human rights abuses in East Timor.

Mr Garrie Gibson, who went to East Timor in February this year with a group of Australian Parliamentarians, said that East Timor still had the feel of an occupied land with some ten thousand Indonesian troops on the island, exercising strict and rigid control. He said there were constant reports of human rights abuses. The delegation had spoken to community representatives and welfare agencies who reported a number of human rights violations, arrests, harassment, beatings, torture, not allowing prisoners access to priests, and so on. He said the country was depressed economically, with very little economic development occurring. There were many health problems, very poor drainage, and poor water supply; in Dili there was no reliable water supply. Much of East Timor was infested with malarial mosquitoes as a result of the poor drainage; malaria was endemic and was not being properly treated.

He also said that the current movement for liberation of East Timor was being led by the younger generation of 18 to 22-year-olds, who have been leading most of the demonstrations that have occurred in Dili in the last 18 months. A number of young people were taking refuge in Catholic churches.

Other UN dealings with Indonesia

Asked whether the UN's dealings with Indonesia as a country involved in attempts to find a solution to the conflict in Cambodia might conflict with its dealings with Indonesia as a country involved in the East Timor conflict, the Secretary General said these matters were in no way connected.

Press conference

Following the meeting with the Secretary General, the delegation held a press conference at the UN Press Briefing Room, sponsored by the Vanuatu Ambassador to the UN, Mr Rob van Lierop.

INDONESIA'S RESPONSE

The PET mission infuriated the Indonesian Government because of the firm assurances from the UN Secretary General about the continuing validity and applicability of basic UN principles and resolutions.

Immediately after press agencies reported the event, the Indonesian Foreign Minister and other officials tried to rubbish the Parliamentarians. They "should not be taken too seriously," said Foreign Ministrer Ali Alatas. [*Antara* 27 March 1991] Other media reports quoted Alatas as describing the Parliamentarians' efforts for East Timor as "only making people laugh" [*Jakarta Post*, 27 March] or "ridiculous" [*The Age* 28 Narch]. Alatas described as "ridiculous" efforts to compare the "integration" of East Timor with Iraq's occupation of Kuwait.

Alatas got things thoroughly mixed up when he alleged that the Parliamentarians who met the UN Secretary General were members of the European Parliament which he described as "people who are elected in their personal capacity, not as members of their respective parliaments" [*Jakarta Post*, 28 March].

Another argument he trotted out was: "Let us settle more fundamental problems first if you want the Security Council to act. Let us see how many dozens of UNSC resolutions on Palestine there are and settle them first. Then there is the issue of South Africa, settle that first. These issues have been dragging on for some 40 years." [*AFP*, 28 March]

Jakarta's ambassador to the UN in New York, Nana Sutresna, took a slightly different tack. He argued that PET "was wrong in charging that Indonesia had failed to implement the 1975 Security Council resolution on East Timor which "was superceded (sic) by the subsequent UN General Assembly resolution which ended with the suspension of the UN debate on the issue". [*Jakarta Post*, 27 March]

Doctoring the transcript

But Jakarta's attack on the PET took a particularly nasty turn at the UN headquarters in New York where Indonesian diplomats succeeded in doctoring a press briefing of the PET mission's press conference. The first briefing, issued for internal circulation at the UN Secretariat by the UN Department of Public Information, contained fabrications, It said for instance that "the Portuguese members of the group had been invited by the Indonesian government to explore together possible avenues towards achieving self-determination for the people of East Timor", and "the group planned to explore alternatives for assessing East Timorese' preferences without the holding of a referendum."

The Vanuatu ambassador in New York challenged this account, whereupon the DPI issued a revised briefing which

summarised more fully and accurately the remarks of the PET members at the press conference.

But the matter did not end here. When the DPI proceeded to produce the transcript of the press conference, Indonesian diplomats again intervened. Now they wanted the DPI to **exclude** several sentences from the official transcript. The remarks to which they took particular exception were the following, made by Lord Avebury:

"..... and to support the Secretary General in his endeavours to reach a solution within the context of the resolutions on East Timor passed by the Security Council and the General Assembly and we were extremely pleased to receive assurances from the Secretary General that the efforts that he's making in consultation with Indonesia and Portugal are indeed within the context of these resolutions. " The question of Resolutions 1514 and 1541 of 1960 was also raised and the procedures for decolonisation which should apply in the case of East Timor. The Secretary General assured us that there would indeed be a procedure which would take into account the wishes of the people of East Timor; though it might not be in the form of a referendum, it would fully comply with the terms of those resolutions of the General Assembly."

These assurances from Perez de Cuellar go to the heart of the matter. They contradict the remark made by Ambassador Nana Sutresna about the 1982 resolution "superceding" the earlier resolutions. The emphasis now being placed on the need to implement all ten UN resolutions on East Timor is very damaging for Indonesia, undercutting its efforts to use Resolution 37/30 of 1982 (which, as the Secretary General reminded the PET delegation, Indonesia had not accepted) in order to suspend the issue and ultimately, remove it altogether from the UN agenda.

CLANDESTINE ACTIVISTS NEED PROTECTION

In April, Lord Avebury received a letter from the main clandestine organisation of East Timorese students in Indonesia, the National Resistance of Students of East Timor, known as *RENETIL*, calling on Parliamentarians for East Timor members to pressure their governments to give protection to East Timorese student activists whose activities are now being closely monitored by army intelligence in Den Pasar.

The RENETIL general secretary, La 'Sama, welcomed the petition which the PET mission presented to the UN Secretary General on 25 March and expressed the conviction that PET would stick by its faithful interpretation of the resolutions of the Security Council and the General Assembly adopted since 1975.

Enclosed with his letter was a copy of a top-secret army document dated 23 February 1991, giving the names of nineteen East Timorese student activists who are suspected of being involved in clandestine activities in support of independence for East Timor. They are:

In Den Pasar

1. Marciano Garcia, Faculty of Letters, Udayana
2. Carlos Lopes, Faculty of Technology, Udayana
3. Agapito Cardoso, Faculty of Technology, Udayana
4. Anicato Lopes, Faculty of Law, Udayana
5. Benyamin O.H.R.S. Martins, Faculty of Technology, Udayana.
6. Jose Pompeia, Faculty of Veterinary Sciences, Udayana
7. Joaquin Gusmao, Faculty of Agriculture, Udayana
8. Joselino, Faculty of Technology, Udayana
9. Adelia (female) Faculty of Economics, Udayana
10. Egas Alves, Faculty of Technology, Udayana
11. Antonio Matos, Faculty of Economics, Undiknas (National University of Paedagogics)
12. Arlindo Parada, Faculty of Economics, Undiknas

In Jakarta

13. Teofelo, Faculty of Medicine, who "often visits foreign embassies, (Holland, Japan, Australia, Swiss)".

In Surabaya

14. Fransisco Cepeda, Faculty of Political Science, Airlangga
15. Lucas da Costa, Faculty of Economics. Airlangga.
16. Dominggus Sarmento (an "infiltrant in RENETIL").

Yogyakarta

17. Jose Luis, Academy of Tourism
18. Epidio, from Baucau.

Salatiga

19. Manuel Abrantes, Faculty of Law, Satya Wacana.

Their activities are said to include:

a. Influencing East Timorese students by making them believe that East Timor will be free from Indonesia.
b. Disseminating abroad information about events in East Timor for political purposes.
c. Contacting the International Red Cross/ICRC or other foreign groups, to discredit the Indonesian Government and win sympathy and support for "the struggle".
d. sending information by courier, journalists and foreign tourists who visit Dili, Kupang, Denpasar or other towns.
e. Spreading leaflets and brochures to win sympathy and give guidance to students and schoolpupils in East Timor.
f. When on vacation in Dili, making contact with pupils of SMP Externato Balide Dili.

The document which is signed by the assistant for intelligence of the Udayana Military Command in Den Pasar and is addressed to BAIS, the Strategic Intelligence Agency, states that the persons named are under constant surveillance, with investigations under way about their contacts with foreigners, journalists and tourists.

Renetil asked PET to publicise the contents of this document and "to urge governments and international organisations to protect the physical integrity of the persons named".

Action by PET

All members of PET are asked to raise questions in Parliament or write to their governments, drawing attention to the dangers facing these students, simply for engaging in perfectly legitimate political activities. Governments should be asked to take the matter up with the Indonesian authorities.

These students are in mortal danger. They have taken the risk of allowing their identities to be publicly revealed in the conviction that international exposure will protect them. It is an appeal we should not ignore.

EC JOINT STATEMENT AT UN COMMISSION

A strongly worded paragraph about human rights in East Timor was included in a joint statement made on behalf of the twelve member states of the European Community at the UN Human Rights Commission meeting in February.

The statement said:

The Twelve are gravely concerned at the human rights situation prevailing in East Timor. Whilst access to certain districts continues to be prohibited, reports have reached us of arrests of short or long duration, mistreatment, torture and executions, whereas non-respect for the right of peaceful assembly and freedom of expression continues to be inflicted on the inhabitants of East Timor by the Indonesian forces.

The Twelve welcome the intention of the special rapporteur on torture to visit East Timor. However, they express the wish that NGOs should be allowed to visit the territory. The Community and its member States express the hope that an equitable, global and internationally acceptable solution will be found in conformity with the principles of the United Nations Charter, which includes respect for human rights and fundamental freedoms, and takes full account of the legitimate interests of the East Timorese. The Twelve continue to follow closely the evolution of the situation in East Timor.

The statement caused consternation in Jakarta. Ali Alatas summoned the Dutch ambassador – Luxembourg, the current president of the EC has no embassy in Jakarta – and the EC's resident representative for an explanation. Indonesian diplomat's were quoted as saying [*Far Eastern Economic Review*, 4 April 1991] that the statement "reflected either ignorance about conditions in East Timor or a willingness by EC members to allow a 'Portuguese-inspired' statement (to) pass without analysis".

Socialist International resolution

At its annual meeting in Sydney, Australia, in March 1991, the Socialist International made the following statement:

The human rights situation in East Timor continues to cause real concern. Delegates urged the government of Indonesia to fully respect the collective and individual rights of the people of East Timor and to work under the mandate of the UN Secretary General to achieve an internationally acceptable settlement of outstanding issues in accordance with the principles of the UN Charter.

JAPAN ON EAST TIMOR

Taking a new approach to the question, the Japanese government has started raising the issue of human rights violations in East Timor with the Indonesian Government. According to *Kyodo*, it was raised during high-level talks between Japan and Indonesia in Jakarta on 11 – 12 March this year. The Japanese delegation was headed by Deputy Foreign Minister Hisashi Owade.

When the Indonesian side argued that there is a "mistaken view" outside Indonesia that the people of East Timor are being suppressed, the Japanese side said the problem had been debated at the UN and that while human rights issues are "complicated by sociocultural factors, there are international standards" and they hoped Indonesia will pay due regard to its human rights problems. [*Kyodo*, 18 April, reported in *Asahi Evening News*, 25 April 1991]

TIMOR GAP TREATY TO WORLD COURT

In February this year, the Portuguese Government filed a case against Australia at the International Court of Justice, challenging its right to conclude the Timor Gap Treaty with Indonesia to jointly exploit East Timor's oil and natural gas resources. The case is filed only against Australia as Indonesia does not recognise the jurisdiction of the Court.

One possible action is to call on your government to advice petroleum companies not to bid for concessions in the area governed by the Treaty because its legality is now being contested at the World Court.

Write to your local Portuguese Embassy for documents relating to this case.

IGGI TO MEET IN JUNE

The Inter-Governmental Group on Indonesia, the international aid consortium which last year allocated nearly $5 billion to Indonesia, will hold its 1991 meeting in The Hague on 11 – 12 June. This is a good occasion for PET groups in IGGI member-states to press the government to raise the human rights situation in East Timor at the meeting.

PARLIAMENTARIANS FOR EAST TIMOR

Parliamentarians for East Timor was launched in Lisbon in June 1988 by Lord Avebury (UK), Tony Lamb (Australia) and Satsuki Eda (Japan) to coordinate and promote activities in support of a just solution to the problem of East Timor in as many countries as possible.

PET bases its actions on the Declaration on Behalf of East Timor of June 1985 which won support from more than 450 parliamentarians from around the world. The group now has more than 200 members from Australia, Austria, Canada, German, Japan, Italy, the Netherlands, Portugal, Sweden, the United Kingdom and a number of Members of the European Parliament.

Information please!

PET Newsletter hopes to include information about actions taken by members in their own Parliaments, on other political forums and at the UN. Please supply any information you have for inclusion in the next issue.

Address correspondence to our temporary address:
Parliamentarians for East Timor
c/o 111 Northwood Road,
Thornton Heath, Surrey CR7 8HW, UK
Fax No: 081 653-0322